

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

MIGUEL FORTEZA-GARCIA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Civil No. 07-2239 (JAF)

(Criminal No. 03-073)

**O R D E R**

Petitioner, Miguel Forteza-García, requests a certificate of appealability from this court to appeal our dismissal on July 11, 2008, of his 28 U.S.C. § 2255 petition. See 28 U.S.C. § 2253(c)(2) (1996).

A certificate of appealability may be granted only upon a substantial showing of the denial of a constitutional right. 28 U.S.C. §§ 2253(c)(2) and (3) (1996). Upon reviewing the record, we find Petitioner's claim entirely insubstantial for the reasons stated in our Opinion and Order of July 11, 2008, Docket Document No. 9. Accordingly, we **DENY** Petitioner's request for a certificate of appealability, Docket Document No. 18.

**IT IS SO ORDERED.**

San Juan, Puerto Rico, this 2<sup>nd</sup> day of October, 2008.

S/José Antonio Fusté  
JOSE ANTONIO FUSTE  
Chief U. S. District Judge